



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
January 10, 2005**

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PW:pw

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, January 10, 2005, at 9:16 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Dana Kauffman, Lee District, arrived at 9:50 a.m.

Supervisor Elaine McConnell, Springfield District, was absent from the entire meeting.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Angela C. Schauweker, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS1. **MOMENT OF SILENCE** (9:16 a.m.)

Chairman Connolly noted that the Virginia and County flags were ordered flown at half-staff today in memory of Staff Sergeant Nathaniel Nyren, a native of the County, who died while serving in Operation Iraqi Freedom. Chairman Connolly asked everyone to keep Sergeant Nyren's family in thoughts.

Chairman Connolly also noted that future County residents who die in the line of duty will also be so honored and their families informed appropriately.

Supervisor Hudgins asked unanimous consent that the Board direct staff to also notify the family when flags are ordered flown at half staff. Without objection, it was so ordered.

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. Paul Preusser, a longtime Reston resident, who died recently. Mr. Preusser was known for his early involvement in the Reston bus system.

Supervisor Hyland asked unanimous consent that the Board direct staff to notify appropriate County personnel at the various governmental centers of whose memory is being honored when flags are flown at half-staff for the public's information. Without objection, the request was so ordered.

Chairman Connolly asked everyone to keep in thoughts the family of Dottie Callaghan, wife of Delegate Vincent Callaghan, Jr., who recently died. She will be interred at Arlington Memorial Cemetery in March.

Chairman Connolly asked everyone to keep in thoughts the people of the countries suffering due to the recent tsunami tragedy.

(NOTE: Later in the meeting, the Board announced the death of another prominent citizen, and also directed action regarding the tsunami in South Asia. See Clerk's Summary Items CL#8, CL#27, and CL#28.)

2. **LATE ARRIVAL AND ABSENCE OF SUPERVISORS** (9:20 a.m.)

Chairman Connolly announced that Supervisor McConnell would be absent from the entire meeting and would be back in the area later in the week and that Supervisor Kauffman would be arriving late because he was taking his son to school.

AGENDA ITEMS**3. CERTIFICATES OF RECOGNITION PRESENTED TO ELECTION VOLUNTEERS AND GIRL AND BOY SCOUT TROOPS (9:21 a.m.)**

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificates of Recognition presented to students in the County who served as election volunteers for the General Election on November 2, 2004, and to the Girl and Boy Scout troops who also assisted at the polling places. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman not yet having arrived, Supervisor McConnell being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. CERTIFICATES OF RECOGNITION PRESENTED TO THE OFFICE OF THE SHERIFF AND OTHER PUBLIC SAFETY OFFICIALS (9:27 a.m.)

Supervisor Bulova moved approval of the Certificates of Recognition presented to the Office of the Sheriff, the Police Department, the Fire and Rescue Department, and the City of Fairfax's Police Department and Fire and Rescue Department for conducting the simulation of a jail evacuation during a biological event. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman not yet having arrived, Supervisor McConnell being absent.

A brief presentation of the drill was provided.

5. CERTIFICATE OF RECOGNITION PRESENTED TO MS. LILLIE DEGREE (9:37 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Lillie DeGree for her contributions to the children of Forest Edge Elementary School and the community. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman not yet having arrived, Supervisor McConnell being absent.

6. RESOLUTION OF RECOGNITION PRESENTED TO FAITH COMMUNITIES IN ACTION (9:40 a.m.)

Supervisor Bulova moved approval of the Resolution of Recognition presented to Faith Communities in Action on the occasion of its tenth anniversary. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman not yet having arrived, Supervisor McConnell being absent.

7. **RESOLUTION OF RECOGNITION PRESENTED TO THE RESTON DR. MARTIN LUTHER KING JR. BIRTHDAY CELEBRATION PLANNING COMMITTEE** (9:54 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to the Reston Dr. Martin Luther King, Jr., Birthday Celebration Planning Committee for its work in honor of his birthday. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to publicize events around the County honoring Dr. Martin Luther King, Jr. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

ADDITIONAL BOARD MATTER

8. **REMEMBRANCE OF HARRY AVERY** (10:02 a.m.)

(NOTE: Earlier in the meeting the Board noted the passing of several prominent citizens. See Clerk's Summary Item CL#1.)

Supervisor Kauffman asked everyone to keep in thoughts the family of Harry Avery, a leader in the Windsor Park community, who died recently.

AGENDA ITEMS

9. **PROCLAMATION TO DESIGNATE JANUARY 2005 AS "MENTORING MONTH" IN FAIRFAX COUNTY** (10:02 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the proclamation designating January 2005 as "*Mentoring Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

10. **10 A.M. – BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (10:07 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board approve the list of Appointments of Board Members to Various Regional Agencies, Committees, and Subcommittees for Calendar Year 2005 as distributed. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The entire list is as follows:

APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES, COMMITTEES, AND SUBCOMMITTEES FOR CALENDAR YEAR 2005

INTERJURISDICTIONAL COMMITTEES

ALEXANDRIA

Gerald Hyland – Chairman
Penelope Gross
Dana Kauffman
Gerald Connolly

ARLINGTON

Penelope Gross – Chairman
Linda Smyth
Joan DuBois
Gerald Connolly

DISTRICT OF COLUMBIA

Gerald Connolly – Chairman
Gerald Hyland
Dana Kauffman
Linda Smyth

FAIRFAX CITY

Sharon Bulova – Chairman
Elaine McConnell
Linda Smyth
Gerald Connolly

FALLS CHURCH

Penelope Gross – Chairman
Linda Smyth
Joan DuBois
Gerald Connolly

FORT BELVOIR

Dana Kauffman – Chairman
Gerald Hyland
Gerald Connolly

HERNDON

Joan DuBois – Chairman
Catherine Hudgins
Gerald Connolly

LOUDOUN COUNTY

Michael Frey – Chairman
Catherine Hudgins
Joan DuBois
Gerald Connolly

PRINCE WILLIAM

(includes UOSA, City of Manassas, and City of Manassas Park)
Michael Frey – Chairman
Gerald Hyland
Elaine McConnell
Gerald Connolly

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COMMUNITY CRIMINAL JUSTICE BOARD

Catherine Hudgins

**METROPOLITAN WASHINGTON COUNCIL OF
GOVERNMENTS (COG)**

COG BOARD OF DIRECTORS

Penelope Gross – Principal
Gerald Connolly – Principal
Joan DuBois – Principal
Sharon Bulova – Alternate
Michael Frey – Alternate
Dana Kauffman – Alternate

**COG METROPOLITAN WASHINGTON AIR QUALITY
COMMITTEE**

Dana Kauffman – Principal
Linda Smyth – Principal
Sharon Bulova – Principal
Gerald Hyland – Alternate (for any member)

COG AIRPORT NOISE ABATEMENT

Joan DuBois – Principal
Gerald Hyland – Principal
Michael Frey – Alternate (for either member)

COG CHESAPEAKE BAY POLICY COMMITTEE

Penelope Gross – Principal

Gerald Hyland – Principal

COG HUMAN SERVICES COMMITTEE

Catherine Hudgins – Principal

COG PUBLIC SAFETY POLICY COMMITTEE

Penelope Gross – Principal

COG METROPOLITAN DEVELOPMENT POLICY COMMITTEE

Michael Frey – Principal

Sharon Bulova – Principal

Dana Kauffman – Principal

COG TASK FORCE ON REGIONAL WATER SUPPLY ISSUES

Penelope Gross

COG TRANSPORTATION PLANNING BOARD

Linda Smyth – Principal

Catherine Hudgins – Principal

Gerald Connolly – Alternate

Joan DuBois – Alternate

CLEAN AIR PARTNERS

Sharon Bulova

FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED

Gerald Connolly

Elaine McConnell

INOVA HEALTH SYSTEMS BOARD

Elaine McConnell

IHS HOSPITALS BOARD

Penelope Gross

Gerald Hyland

LIAISON WITH CENTRAL FAIRFAX CHAMBER OF COMMERCE

Sharon Bulova

NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

(Formerly the Northern Virginia Planning District Commission - NVPDC)

Sharon Bulova

Gerald Connolly

Penelope Gross

Catherine Hudgins

Elaine McConnell

Joan DuBois

Linda Smyth

NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)

(including WMATA and VRE Representatives)

Sharon Bulova – Principal (VRE Operation)

Gerald Connolly

Catherine Hudgins – Alternate (WMATA)

Dana Kauffman – Principal (WMATA) and Principal (VRE Operation)

Elaine McConnell – Principal (VRE Operation)

POTOMAC WATERSHED ROUNDTABLE

Penelope Gross

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT
DISTRICT COMMISSION**

Gerald Connolly

Michael Frey

Catherine Hudgins

Joan DuBois

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA)**

(Appointed by NVTC. The Board of Supervisors makes recommendations for consideration.)

Dana Kauffman – Principal

Catherine Hudgins – Alternate

VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)

Penelope Gross

Catherine Hudgins

Linda Smyth

INTRAGOVERNMENTAL AND OTHER COMMITTEES

AUDIT COMMITTEE

Gerald Connolly – Chairman

Sharon Bulova

Elaine McConnell

BOARD PROCEDURES COMMITTEE

Penny Gross – Chairman
Joan DuBois – Co-Chairman

BUDGET POLICY AND REORGANIZATION COMMITTEE

(Committee of the Whole)
Sharon Bulova – Chairman
Joan DuBois – Vice-Chairman

DEVELOPMENT PROCESS COMMITTEE

(Committee of the Whole)
Michael Frey – Chairman
Penelope Gross – Vice-Chairman

ECONOMIC ADVISORY COMMITTEE

Elaine McConnell – Chairman
Gerald Connolly
Catherine Hudgins

ENVIRONMENTAL COMMITTEE

(Committee of the Whole)
Penny Gross – Chairman
Sharon Bulova – Vice-Chairman

FIRE COMMISSION

Gerald Hyland

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

(Committee of the Whole)
Catherine Hudgins – Chairman
Dana Kauffman – Vice-Chairman

HUMAN SERVICES COMMITTEE

(Committee of the Whole)
Catherine Hudgins – Chairman
Penelope Gross – Vice-Chairman

INFORMATION TECHNOLOGY COMMITTEE

(Committee of the Whole)
Linda Smyth – Chairman
Catherine Hudgins – Vice-Chairman

LEGISLATIVE COMMITTEE

(Committee of the Whole)
Gerald Connolly – Chairman

PERSONNEL AND REORGANIZATION COMMITTEE

(Committee of the Whole)

Penelope Gross – Chairman

Joan DuBois – Vice-Chairman

REVITALIZATION COMMITTEE

Gerald Hyland – Chairman

Penelope Gross

Dana Kauffman

Gerald Connolly

TRANSPORTATION COMMITTEE

(Committee of the Whole)

Elaine McConnell – Chairman

Catherine Hudgins – Vice-Chairman

(NOTE: Later in the meeting clarification was made regarding these appointments. See Clerk's Summary Item CL#15.)

11. **RE-APPOINTMENT OF BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS** (10:08 a.m.)

Supervisor Gross moved the re-appointment of Supervisor Bulova as Vice-Chairman of the Board of Supervisors. Supervisor Smyth seconded the motion and it carried by unanimous vote.

12. **10:15 A.M. – PRESENTATION OF THE DON SMITH AWARDS**

(NOTE: Later in the meeting, these awards were presented. See Clerk's Summary Item CL#16.)

DS:ds

13. **ADMINISTRATIVE ITEMS** (10:09 a.m.)

Supervisor Gross moved approval of the Administrative Items with the exception of Admin 4 and Admin 13. Supervisor Hyland seconded the motion.

Supervisor Kauffman called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) and discussion ensued regarding the amount of time a trash can/bin can remain at the curve for pickup.

Supervisor Kauffman asked unanimous consent that the Board direct the Solid Waste Management Task Force to work with the Virginia Department of

Transportation (VDOT) to look at a possible partnership to address this issue between VDOT and the private haulers. Without objection, it was so ordered.

Following discussion, with input from Joyce M. Doughty, Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services, regarding the amendment, Supervisor Hudgins asked unanimous consent that the Board direct staff to request the Task Force to look at ways of being more stringent in enforcing the penalties. Without objection, it was so ordered.

Supervisor DuBois called the Board's attention to Admin 4 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 70 (Water), Relating to Private Water Well Supplies and asked to amend the main motion to include this item, and this was accepted.

The question was called on the motion, as amended, with the exception of Admin 13, and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being absent.

(NOTE: Later in the meeting, the Board took action on Admin 13. See Clerk's Summary Item CL#14.)

ADMIN 1 – BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 2005

Adopted the Board's meeting schedule for January through December 2005.

ADMIN 2 – ADDITION OF TWO LANES TO AN EXISTING SEGMENT OF LEE CHAPEL ROAD TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (SPRINGFIELD DISTRICT)

(R) Adopted the Resolution requesting that two additional lanes of Lee Chapel Road (Route 643) be added to the Secondary System of State Highways.

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (PROVIDENCE AND SULLY DISTRICTS)

Approved the extension of review periods for the following Public Facility (2322) Review Applications:

- FSA-Y98-8-2 to March 18, 2005
- 2232A-P00-5-2 to March 18, 2005

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 70 (WATER), RELATING TO PRIVATE WATER WELL SUPPLIES

- (A) (NOTE: Earlier in the meeting, there was a brief discussion regarding this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **Monday, February 7, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, to replace the present County requirements on the regulation of water well supplies, now set forth in Chapter 70 (Water), with a new Chapter 70.1 (Private Water Well Ordinance) containing requirements based on the Commonwealth of Virginia, State Board of Health Regulation for the handling of private water well supplies.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE)

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See pages 10–11.)

Authorized the advertisement of a public hearing to be held before the Board on **Monday, February 7, 2005, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste), regarding required changes in referenced Federal and State codes and regulations; alternative financial mechanisms in lieu of the bonding requirements; and editorial changes to clarify intent, terminology, and applicability of various provisions.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ANNANDALE TERRACE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 37 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **Monday, February 7, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Annandale Terrace RPPD, District 37. The proposed district expansion includes the following street blocks:

- Gaylord Drive (Route 3062) from Mayfield Drive (Route 3060) to the end
- Weyburn Drive (Route 3059) from Mayfield Drive to Medford Drive (Route 2249)

- Weyburn Drive from Medford Drive to the end

ADMIN 7 – ADDITION OF A SEGMENT OF BEULAH STREET, ADDITION OF TWO NEW LANES ON A SEGMENT OF BEULAH STREET, AND ADDITION OF TWO NEW LANES ON A SEGMENT OF TELEGRAPH ROAD TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (LEE AND MOUNT VERNON DISTRICTS)

- (R) Adopted the Resolution requesting that a segment of Beulah Street (Route 613) and the additional lanes on Beulah Street and Telegraph Road (Route 611) be added to the Secondary System of State Highways.

ADMIN 8 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR WASHINGTON DRIVE AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S (DOT) RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MASON DISTRICT)

- Endorsed the traffic-calming plan for Dearborn Drive as proposed by DOT and the Virginia Department of Transportation (VDOT), consisting of the following measures:
 - Speed hump adjacent to 3506 and 3507 Washington Drive
 - Multi-way stop at the intersection of Washington Drive and Courtland Drive
 - Speed hump adjacent to 3416 and 3415 Washington Drive
- Directed staff to request VDOT to install the approved measures as soon as possible.

ADMIN 9 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (PROVIDENCE AND LEE DISTRICTS)

- Endorsed the selection of the following streets to be considered for traffic-calming measures as part of R-TAP:
 - Hibbard Street (Providence District)
 - Beechcraft Drive (Lee District)

- Directed staff to request the Virginia Department of Transportation to develop traffic-calming plans in conjunction with each community, as soon as possible.

ADMIN 10 – RESOLUTION TO INSTALL “WATCH FOR CHILDREN” SIGNS ON DUNN MEADOW ROAD (DRANESVILLE DISTRICT) AND TUTTLE ROAD (SPRINGFIELD DISTRICT)

(R) Adopted the Resolution endorsing the installation of “Watch for Children” signs on the following streets:

- Dunn Meadow Road (Dranesville District)
- Tuttle Road (Springfield District)

ADMIN 11 – INSTALLATION OF MULTI-WAY STOPS AT KAMPUTA DRIVE AND OTTAWA ROAD (SULLY DISTRICT) AND AT BREVITY DRIVE AND CHALLEDON ROAD (DRANESVILLE DISTRICT)

- Endorsed the installation of multi-way stops as part of the Fairfax County Department of Transportation’s Residential Traffic Administration Program (R-TAP) at the following locations:
 - Kamputa Drive and Ottawa Road (Sully District)
 - Brevity Drive and Challedon Road (Dranesville District)
- Directed staff to request the Virginia Department of Transportation to install the necessary signs at the earliest possible date.

ADMIN 12 – PROPOSAL TO ABANDON A SEGMENT OF FOX MILL ROAD (ROUTE 665) (HUNTER MILL DISTRICT)

(O) Approved the order of abandonment of a segment of Fox Mill Road (Route 665).

ADMIN 13 – ASSISTING PEDALS FOR PROGRESS IN RELOCATING ITS OPERATION

(NOTE: Later in the meeting, action was taken on this item. See Clerk’s Summary Item CL#14.)

**ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 99-M-026, L AND M
MUFFLERS, INCORPORATED (MASON DISTRICT)**

- (AT) Approved six months of additional time to commence construction for Special Exception Application SE 99-M-026 to April 11, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

14. **ADMIN 13 – ASSISTING PEDALS FOR PROGRESS IN RELOCATING
ITS OPERATION** (10:13 a.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#13.)

Supervisor Gross circulated a revised motion around the dais.

Supervisor Gross moved approval of Admin 13, with the exception that the Board authorize a license agreement with the Washington Area Bicyclist Association for the parking of storage trailers used for the collection of bicycles at any of the County's Solid Waste facilities upon the terms described in the item. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

15. **APPOINTMENT OF BOARD MEMBERS TO VARIOUS REGIONAL
AND INTERNAL BOARDS AND COMMITTEES** (10:14 a.m.)

(NOTE: Earlier in the meeting, the Board took action regarding this item. (See Clerk's Summary Item CL#10.)

Chairman Connolly clarified that no formal vote was required for these appointments. The appointments were made without objection.

16. **10:15 A.M. – PRESENTATION OF THE DON SMITH AWARD**
(10:14 a.m.)

The Don Smith Employees Advisory Council (EAC) Award provides recognition to individual employees of the County government and school system who have contributed in an outstanding manner to the well being of their fellow employees.

The awardees were selected by the EAC acting as a committee of the whole.

Karen Conchar, Chair, EAC invited Chairman Connolly and Supervisor Gross to assist her in presenting the Don Smith awards.

Anita Baker, Treasurer, EAC, announced the following award recipients:

- Paula Harper, Office of Public Affairs, for her extraordinary support and inspiration that she provides for many activities to benefit the County and employees.
- Robert Ross, County Attorney's Office, for his dedication, professionalism, and dynamic presentations to law enforcement recruits at the Criminal Justice Academy.
- Anita Vines, Department of Cable Communications and Consumer Protection, for her dedication and involvement with Santa's Ride which is sponsored by the Police Department.

An Honorable Mention award was presented to the following individual:

- Patricia Stephan-Fawcett, Human Rights Commission

The following nominees received Certificates of Appreciation for their service to fellow employees:

- David Bennett, Fairfax County Public Library
- Ana Cisneros, Circuit Court and Records
- Frances Jefferson, Fairfax-Falls Church Community Services Board
- Linda Kerns, Juvenile and Domestic Relations District Court
- Stephen Knippler, Department of Housing and Community Development
- Gwendolyn Richardson, Department of Administration for Human Services
- Donna Singer, Health Department
- Abbas Tabatabaie, Fairfax County Police Department

17. **ORDERS OF THE DAY** (10:21 a.m.)

Chairman Connolly announced that as soon as the morning session breaks the Board would go directly into closed session. He said that Supervisor Gross, Supervisor Hyland, and he would be going to Mount Vernon briefly this afternoon to a meeting of the Chesapeake Bay Executive Council which involves the governors of the region, including the governor of Pennsylvania, Maryland,

and Virginia, the Mayor of DC, and others, to welcome them officially, on the Board's behalf.

He said the Board will reconvene on time and Supervisor Bulova will Chair until they return.

Supervisor Gross announced that she and Supervisor Hyland have been appointed to the Local Government Advisory Committee.

18. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE US ATTORNEY FOR THE DISTRICT OF COLUMBIA, US MARSHAL'S SERVICE, AND THE METROPOLITAN POLICE DEPARTMENT OF WASHINGTON, DC** (10:23 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the Chief of Police to sign the MOU between the FCPD and the US Attorney for the District of Columbia, US Marshal's Service, and the Metropolitan Police Department of Washington, DC. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

A brief discussion ensued with input from Anthony H. Griffin, County Executive, regarding reimbursement to the County for the cost associated with this issue.

19. **A-2 – ISSUANCE OF FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA), FAIRFAX COUNTY FACILITIES REVENUE BONDS SERIES 2005 A (SCHOOL BOARD CENTRAL ADMINISTRATION BUILDING PROJECT PHASE I) TO PURCHASE A NEW ADMINISTRATIVE BUILDING (PROVIDENCE DISTRICT)** (10:24 a.m.)

- (R) On motion of Supervisor Hyland, seconded by Supervisor Bulova, and **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Kauffman voting "NAY," Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Resolution that includes the following actions:

- Approves and authorizes the execution and delivery of an Installment Purchase Contract with the EDA.
- Approves and authorizes the execution and delivery of a Lease Agreement with the School Board.

- Approves the forms of a Master Trust Agreement and a Supplemental Trust Agreement each between the EDA and a trustee.
- Approves the forms of a Preliminary Official Statement, a Final Official Statement and Notice of Sale.
- Authorizes a Continuing Disclosure Agreement.
- Authorizes the execution and delivery of other documents and agreements that may be needed to complete the transaction.
- Delegates to the Chairman, Vice-Chairman, County Executive, and Chief Financial Officer power to determine certain details of the transaction.

20. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-B04-14, FAIRFAX COUNTY PARK AUTHORITY (BRADDOCK DISTRICT) (10:25 a.m.)**

The Board next considered an item contained in the Board Agenda dated January 10, 2005, announcing the Planning Commission's approval of Public Facilities Review Application 2232-B04-14, Fairfax County Park Authority.

21. **I-2 – CONTRACT AWARD – FIELD HOUSE RENOVATIONS PHASE I AT SOUTH RUN DISTRICT PARK (SPRINGFIELD DISTRICT) (10:25 a.m.)**

The Board next considered an item contained in the Board Agenda dated January 10, 2005, requesting authorization for staff to award a contract to Creative Finishes, Incorporated, in the amount of \$194,998 for the construction of Field House Renovations Phase I at South Run District Park.

The staff was directed administratively to proceed as proposed.

22. **I-3 – CONTRACT AWARD – FIELD HOUSE RENOVATIONS PHASE II AT SOUTH RUN DISTRICT PARK (SPRINGFIELD DISTRICT) (10:25 a.m.)**

The Board next considered an item contained in the Board Agenda dated January 10, 2005, requesting authorization for staff to award a contract to SportGrass, Incorporated, in the amount of \$96,232.75 for the construction of Field House Renovations Phase II at South Run District Park.

The staff was directed administratively to proceed as proposed.

23. **I-4 – DRAFT REPORT OF THE PANEL ON THE ANALYSIS OF AND POTENTIAL FOR ALTERNATE DEDICATED REVENUE SOURCES FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)** (10:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 10, 2005, regarding the draft report of the panel on the analysis of and potential for alternate dedicated revenue sources for the WMATA.

Following discussion regarding the report, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to forward a copy of the entire report, with a cover letter, to all members of the Fairfax County Delegation to the General Assembly. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

NV:nv

ADDITIONAL BOARD MATTERS

24. **LEGISLATIVE COMMITTEE SCHEDULE** (10:29 a.m.)

Chairman Connolly announced that the 2005 General Assembly session begins Wednesday, January 12. He relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the following schedule of dates for meetings of the Board's Legislative Committee at 4 p.m. in Conference Rooms 9-10 in the Government Center:

- January 21
- January 28
- February 4
- February 11
- February 18
- March 4 (final report)

Without objection, it was so ordered.

Chairman Connolly said that the General Assembly is scheduled to adjourn February 26, and the Board is planning its reception for the Fairfax Delegation on February 15. He urged Board Members to clear their calendars for the reception.

Chairman Connolly also announced that the Virginia Municipal League/Virginia Association of Counties Joint Legislative Day is scheduled for February 3.

25. **APPOINTMENT TO THE CIVIL SERVICE COMMISSION** (10:32 a.m.)

(APPT) Chairman Connolly moved the appointment of Mr. Robert E. Frye to fill the unexpired term of Mr. Wade Bolton as the At-Large Representative #5 to the Civil Service Commission. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell being absent.

26. **LIVES CUT SHORT** (10:33 a.m.)

Chairman Connolly said that of any age group, teens are more likely to be involved in a single car crash. The national experts say that teen drivers killed in motor vehicle accidents had a youth passenger in the automobile 45 percent of the time. Of teen drivers fatally injured in automobiles, more than one third were speed-related accidents. Teenagers make up seven percent of licensed drivers, but suffer 14 percent of fatalities and 20 percent of reported accidents nationwide.

Chairman Connolly said that in 2002 in Fairfax County, 64 people lost their lives due to motor vehicle accidents. Eight of the victims, or 12.5 percent, were 21 years of age or younger. In 2003 that percentage rose to 14.51 percent as nine of 62 deaths were 21 years of age or younger. Last year, 61 people lost their lives on County roads, and the number of those 21 years or younger was an astonishing 15 fatalities or 24.59 percent.

While efforts are being made to curtail this trend, Chairman Connolly proposed a comprehensive approach to include the following actions:

- Transform and enhance school driver education programs.
- Encourage parental agreements before teens get their learners permits and, later, their licenses. Create a template for parents.
- Develop an advisory log book program to guide teens and their parents on the driving experiences that are necessary prior to getting a license.
- Expand the Youthful Driver Program at the Police Department driving track.
- Revoke school parking privileges for traffic violations in the community, but also address those who drive to school but park on neighborhood streets.
- Increase enforcement throughout the County.

- Crack down on street racing.
- Design a public awareness campaign.
- Increase Driving While Intoxicated checkpoint programs.
- Change curfew violations to a primary law so the Police Department can stop the teen violators.
- Review legislatively the issue of increasing the age before a teen can acquire a learner's permit and driver's license.

Therefore, Chairman Connolly moved that the Board direct the County Executive, in consultation with the Chief of Police and the Superintendent of Schools, to assess, with all dispatch, this set of initiatives and return with a comprehensive set of recommendations for implementation of a plan designed to save teenage lives. Supervisor Gross seconded the motion.

Following discussion, the question was called on the motion, which carried by a vote of nine, Supervisor McConnell being absent.

27. **TSUNAMI RELIEF AND FAIRFAX COUNTY'S CITIZEN CORPS**
(10:42 a.m.)

Chairman Connolly said that on December 26, 2004, South Asia was struck by a crippling tsunami. The tsunami killed close to 150,000 and virtually leveled entire villages and coastlines. The disaster and its effects continue to be devastating. In the aftermath, individuals and organizations throughout the world have rallied to offer support. The Office of Public Affairs is prepared to assist citizens seeking channels through which their contributions can best be utilized. Through a link on the County website (www.fairfaxcounty.gov), individuals can obtain a list of organizations accepting donations as well as ways to best reach them.

In light of this horrible event, Chairman Connolly reminded citizens that disasters such as this can happen anytime and anywhere without warning. Therefore, in addition to the immeasurable contributions being made to relief efforts, he encouraged County residents to sign up for one of the County's Citizen Corps emergency preparedness training programs by calling Volunteer Fairfax at 703-246-3460 or by visiting the Citizen Corps website at www.fairfaxcountycitizencorps.org.

Chairman Connolly asked unanimous consent that the Board direct staff of the Office of Public Affairs to publicize these opportunities on Channel 16. Without objection, it was so ordered.

28. **FAIRFAX URBAN SEARCH AND RESCUE TEAM MEMBERS JOIN TSUNAMI RELIEF EFFORT** (10:43 a.m.)

Chairman Connolly expressed the County's pride in the deployment of six members of the County's Urban Search and Rescue Team to assess tsunami and earthquake damage and report to the US Government in terms of needs. Accordingly, he asked unanimous consent that the Board direct staff to invite the members of the team to appear before the Board, upon their return, at an appropriate time, to be publicly thanked for their efforts on behalf of the victims of the tsunami. Without objection, it was so ordered.

29. **AFRICAN AMERICAN HISTORY MONTH** (10:44 a.m.)

Chairman Connolly said that February is traditionally celebrated as African American History Month to recognize the history, contributions, concerns and achievements of African Americans. Chairman Connolly moved that the Board proclaim February 2005 as "*African American History Month*" in Fairfax County and direct staff to invite appropriate representatives from the Office of Equity Programs to receive the proclamation at the January 24, 2005, Board meeting. Vice-Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

30. **FLUORESCENT LIGHTBULB RECYCLING** (10:44 a.m.)

Chairman Connolly said that the Board's Environmental Plan encourages County agencies to increase recycling within their offices by thinking innovatively. Recently, the Facilities Management Division (FMD) began a fluorescent lightbulb recycling program. By recycling these bulbs, the County will divert approximately 20,000 bulbs per year from being disposed of and will also prevent the introduction of potentially hazardous substances, such as mercury, into the County environment. Additionally, this initiative is anticipated to save the County \$30,000 in hazardous waste disposal fees each year. This is an excellent example of employees thinking creatively to benefit both the environment and fiscal responsibility.

Therefore, Chairman Connolly moved that the Board commend FMD for this outstanding example of environmental leadership and direct the Office of Public Affairs to continue to promote such initiatives, encouraging other County agencies as well as businesses in the private sector to engage in thinking creatively for the good of the environment. Supervisor Hyland seconded the motion.

Following discussion, Chairman Connolly asked unanimous consent that the Board direct staff to develop ways to promote and facilitate the disposal of these lightbulbs in the private sector. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor McConnell being absent.

31. **SANTA'S RIDE IS AN OUTSTANDING SUCCESS** (10:46 a.m.)

(NOTE: Earlier in the meeting, the Board honored an employee participant in Santa's Ride. See Clerk's Summary Item CL#16.)

Chairman Connolly said that just before the Christmas holidays, the County Police Department Motor Squad, in conjunction with the Office of the Sheriff, the police departments of the Town of Vienna and the City of Fairfax, along with the Virginia State Police, conducted the Sixteenth Annual Santa's Ride. Citizens saw the County Police Department Harleys ridden by Santa and his elves as they traveled around the County gathering up donation boxes filled with toys.

Chairman Connolly shared the results of the effort and noted the following groups that received toys for distribution:

- INOVA Fairfax Hospital
- Hispanic Community Center in Annandale
- Ronald McDonald House at INOVA Fairfax Hospital
- F.I.S.H. in Reston

Therefore, Chairman Connolly moved that the Board direct staff to invite representatives of Santa's Ride to appear before the Board to receive recognition for this outstanding effort. Vice-Chairman Supervisor Bulova seconded the motion.

Supervisor Gross asked to amend the motion to request that the participants dress in the costumes they used for the ride, and this was accepted.

The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McConnell being absent.

32. **THIRD ANNUAL EVENTS AND FESTIVAL PLANNING WORKSHOP** (10:50 a.m.)

Chairman Connolly announced that Celebrate Fairfax! Incorporated will hold its third annual *Events 101* workshop on Saturday, February 12, from 9 a.m. – 3 p.m. at the South County Government Center. It is designed for anyone who is not a professional outdoor festival or special event planner, but has event duties as part of their job or volunteer description. It is sponsored by Booz Allen Hamilton, Coca-Cola, Volunteer Fairfax, and Celebrate Fairfax! Incorporated. It costs

\$49 per registrant, \$29 for students. For more information, call 703-324-5303 or visit www.celebratefairfax.org.

Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs to publicize this information. Without objection, it was so ordered.

33. **PUBLIC SERVICE ANNOUNCEMENT FOR HOMELESSNESS**
(10:49 a.m.)

Chairman Connolly said recently there have been a number of deaths of homeless persons in the County and throughout the region as a result of hypothermia. In an effort to prevent further victims, the Department of Family Services has released a public service announcement, both in Spanish and English, to educate citizens of symptoms and treatment of hypothermia, as well as havens available to the homeless during the winter months.

Therefore, Chairman Connolly asked unanimous consent that the Board:

- Thank the Department of Family Services for its proactive involvement in educating citizens about hypothermia and encourage them to continue as the County battles the cold of winter.
- Direct the Office of Public Affairs to broadcast this information.

Without objection, it was so ordered.

34. **TERRENCE R. DUVERNAY HOME PROGRAM AWARDS** (10:50 a.m.)

Chairman Connolly said that the Terrence R. Duvernay HOME Program Awards of Excellence, presented by the National Community Development Association, represents the culmination of a national competition to identify and recognize exemplary uses of HOME Investment Partnerships (HOME) Program funds which best address the needs of low-income families and neighborhoods. He announced that this year the County has been selected as a winner of this prestigious award for its Gum Springs Glen Project, a 60-unit independent senior living facility that offers seniors of moderate income the opportunity to live in an affordable retirement community. On behalf of Supervisor Hyland and the Board, he congratulated the Fairfax County Redevelopment and Housing Authority and the Department of Housing and Community Development for another job well done as they work with the Board to address the housing needs of all citizens.

A brief discussion ensued.

35. **NATIONAL INFANT IMMUNIZATION WEEK** (10:51 a.m.)

Chairman Connolly asked unanimous consent that the Board proclaim April 24-30, 2005, as “*National Infant Immunization Week*” in Fairfax County and direct staff to invite appropriate representatives from the Health Department and others to receive the proclamation at the April 25, 2005, Board meeting. Without objection, it was so ordered.

36. **INVENTORY OF COUNTY FACILITIES AND PARCELS OF LAND** (10:51 a.m.)

Chairman Connolly said that the Auditor to the Board recently undertook a review and inventory of all County-owned properties. This review is currently focusing on parcels of land. Chairman Connolly stated his understanding that the County Executive’s Office is also undertaking a review of County-owned and leased facilities to determine whether the use of County office space is being maximized.

Accordingly, Chairman Connolly moved that, upon completion of these reviews, the Board direct the County Executive to prepare a plan for maintaining an ongoing inventory of both County-owned and leased facilities and parcels of land to ensure that the County is using its property as efficiently and cost effectively as possible. He noted that this review should include any recommendations from the County Executive about the use of County parcels of land. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell being absent.

37. **PROGRESS ON THE FAIRFAX COUNTY PARKWAY** (10:51 a.m.)

Chairman Connolly said that the Fairfax County Parkway, after years of planning and construction, is nearing completion. The last segment to be completed runs through Fort Belvoir’s former Engineer Proving Grounds, and will connect existing parkway segments at Rolling Road on the west and I-95 on the east. He added that he received a letter from the Virginia Department of Transportation (VDOT) informing him that it has begun the process of selecting a contractor for this project and will be using a design-build process for construction. VDOT anticipates opening this stretch of the parkway to traffic in late 2007.

Chairman Connolly expressed appreciation to Supervisor Hyland and Supervisor Kauffman for their efforts in expediting this project, and a brief discussion ensued.

38. **WASHINGTON BUSINESS JOURNAL NAMES FASTEST GROWING BUSINESSES** (10:53 a.m.)

Chairman Connolly stated that the *Washington Business Journal* annually names 50 Washington area companies to its Fastest Growing Companies list based on revenue growth. He announced that the 2004 list includes 19 companies from

Fairfax County, more than half of the 31 companies from Virginia that are on the list. Those from Fairfax County are as follows:

- Allied Defense Group, based in Tysons Corner
- Apogen Technologies, based in Tysons Corner
- Appian, based in Tysons Corner
- Artel, based in Reston
- Bowman Consulting Group, based in Chantilly
- DLT Solutions, based in Herndon
- Glory Days Grill, based in Centreville
- INDUS, based in Tysons Corner
- Lighthouse Companies, based in Annandale
- ManTech International, based in Fairfax
- McDonald Bradley, based in Herndon
- Mooring Financial, based in Tysons Corner
- National Corporate Housing, based in Reston
- RS Information Systems, based in Tysons Corner
- SiloSmashers, based in Merrifield
- STG, based in Reston
- Sunrise Senior Living, based in Tysons Corner
- Van Metre Companies, based in Burke
- Wexford Group International, based in Tysons Corner

On behalf of the Board, Chairman Connolly congratulated all of these companies on this achievement and wished them well.

39. **ANNUAL LAND CONSERVATION AWARDS** (10:54 a.m.)

Chairman Connolly said that on Friday, January 14, 2005, in Government Center Conference Rooms 9 and 10, the County will hold its Annual Land Conservation Awards Ceremony at 10 a.m. Conducted under the auspices of the Environmental and Facilities Inspection Division of the Department of Public Works and Environmental Services, with judging teams from the Tree Commission and the Northern Virginia Soil and Water Conservation District, these awards recognize excellence in installing and maintaining erosion and sedimentation controls, as well as tree preservation efforts. The actions and protocols embraced by the awardees demonstrate an important commitment to the environment by addressing several components of the 20-Year Environmental Vision adopted unanimously by the Board earlier last year.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to invite the awardees to appear before the Board to be recognized for their efforts. Without objection, it was so ordered.

40. **CHESAPEAKE BAY INFORMATION MATERIALS** (10:55 a.m.)

Chairman Connolly referred to a letter that he received from Martha Little, Chief of Planning for the Virginia Department of Conservation and Recreation, conveying several helpful free informational materials regarding buffers, site design, and stream protection, and requesting that he forward this information to the Board. He also distributed a copy of each of the booklets, entitled *Got Buffer; Working Together to Protect Streams, Rivers, and the Bay; Better Site Design; and A Guide to the Bay Act*, so that Board Members may contact Ms. Little's office and request additional copies for distribution at their offices.

Therefore, Chairman Connolly asked unanimous consent that the Board direct the County Executive to ensure that the relevant County agencies receive copies of these materials, if they have not done so already. Without objection, it was so ordered.

41. **REALITY CHECK EVENT REGARDING REGIONAL GROWTH** (10:56 a.m.)

Chairman Connolly said that estimates indicate that the Metropolitan Washington region will add roughly two million more residents and 1.6 million additional jobs by the year 2030. The questions of where and how this growth occurs are questions that the Board has been dealing with for some time now, most recently in its decision on the Vienna Metro/Fairlee plan amendment. The effects of this anticipated growth will clearly extend beyond the boundaries of the County, and regional dialogue must be undertaken if this growth is to be coordinated successfully. Chairman Connolly noted that on Wednesday, December 8, 2004, he took part in a news conference announcing Reality Check, a unique event to be

held on Wednesday, February 2, 2005, from 7:30 a.m. to 3 p.m. at the Ronald Reagan Building and International Trade Center in Washington, DC.

Sponsored by the Urban Land Institute-Washington and the Smart Growth Alliance, with help from organizations such as George Mason University, the Chesapeake Bay Foundation, and the Metropolitan Washington Council of Governments, Chairman Connolly said that Reality Check will bring together over 300 political, business, environmental, and civic leaders from 20 local jurisdictions to negotiate and propose, in diverse groups of ten participants led by a trained facilitator, various growth scenarios using mapping technology. The results are not binding in any way, but will serve as groundwork for continued dialogue in the region on how the separate jurisdictions can work together to best accommodate this anticipated growth in a smart way.

Chairman Connolly distributed to Board Members information packets on Realty Check as well as a DVD detailing its first event that took place in Los Angeles, California in October 2002. He urged Board Members to register to attend.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs publicize the event so that interested citizens can participate. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

42. **JOINT BOARD MATTER RECOGNIZING LITTLE HUNTING CREEK WATERSHED PLAN (LEE AND MOUNT VERNON DISTRICTS)**
(10:58 a.m.)

Jointly with Supervisor Kauffman, Supervisor Hyland recognized that the Little Hunting Creek Watershed Plan is the first plan to be completed in the County's watershed initiative. He cited the incredible input of staff and citizens in the Mount Vernon and Lee District areas. Because this is the first watershed plan to be completed and submitted for approval, Supervisor Hyland moved that the Board direct staff to invite all of the members of the Little Hunting Creek Steering Committee to appear before the Board at its February 7 meeting to be recognized for their substantial achievement and efforts. Without objection, it was so ordered.

Merni Fitzgerald, Director, Office of Public Affairs, responded to a query regarding the Board's presentation schedule.

43. **UPDATE ON THE REBUILDING OF THE MASON DISTRICT PARK AMPHITHEATER** (10:58 a.m.)

Supervisor Gross updated the Board on the rebuilding of the Mason District Park Amphitheater, which had been destroyed by fire. She said that the footings will

be poured this week or next, and staff is doing an extraordinary job in rebuilding the structure in time for its opening concert June 5.

44. **RECOGNITION OF MR. ROBERT MANKIN (HUNTER MILL DISTRICT)** (10:59 a.m.)

Supervisor Hudgins said that on December 4, 2004, a fatal fire occurred on Batten Hollow Road in Vienna. The victim's family members called attention to the unselfish actions of a passing deliveryman, Robert Mankin, who made several attempts to rescue the victim.

In recognition of Mr. Mankin's efforts, Supervisor Hudgins asked unanimous consent that the Board direct staff to:

- Invite him to appear before the Board on January 24 to receive a certificate of recognition for his personal act of courage.
- Coordinate the recognition effort with the presentation to Mr. Mankin by the Department of Fire and Rescue Services.

Following a brief discussion, with input from Merni Fitzgerald, Director, Office of Public Affairs, without objection, it was so ordered.

45. **RESIGNATION FROM THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD AND ANNOUNCEMENT OF NOMINEE (HUNTER MILL DISTRICT)** (11 a.m.)

(BACs) Supervisor Hudgins announced the resignation of Ms. Anngienetta Johnson as the Hunter Mill District Representative to the Fairfax-Falls Church Community Services Board. To comply with legal requirements for public notification, Supervisor Hudgins announced her intent to appoint Mr. Glenn Kamber on January 24 to fill the unexpired term and she circulated his résumé.

DET:det

46. **NATIVE PLANT TRANSPLANTATION PROFFER** (11:01 a.m.)

Supervisor Smyth announced that she recently met with representatives of two environmental nonprofit organizations, Earth Sangha, and Land and Waters, to discuss how the Board could assist them in their efforts to transplant native plant species from parcels of land slated for development. One of their primary problems was their inability to easily gain access to parcels of land before development proceeded, and she suggested that the Board might be able to facilitate access to sites that are being considered for rezoning by formulating a native plant transplantation proffer.

Supervisor Smyth moved that the *Draft Standard Native Plant Transplantation Proffer* be submitted to the Department of Planning and Zoning and the Urban Forestry Division, Department of Public Works and Environmental Services, to assist with helping nonprofit environmental organizations gain access to development sites to facilitate the rescue and transplantation of native plants before the initiation of land disturbing activities. Supervisor Bulova seconded the motion.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#64.)

47. **VIRGINIA RAILWAY EXPRESS (VRE) SANTA TRAINS** (11:03 a.m.)

Supervisor Bulova informed the Board that on Saturday, December 11, 2004, nearly 7,000 Northern Virginia residents joined the Virginia Railway Express (VRE) for its "Eighth Annual Operation Lifesaver Santa Trains" at the Burke, Manassas, Fredericksburg, Leeland, and Woodbridge Stations. This annual event is a family favorite combining Santa Claus with a special children's train ride to celebrate the season. In addition to the holiday cheer, Santa spread the important message of train safety to all the "good" boys and girls on the train.

Santa was joined by volunteers from all over the region to make the day very special. Carolers, including a group from Robinson High School, regaled the trains and platforms with music, local and State police (including Fairfax County) rode the train to meet and greet, and volunteers from Operation Lifesaver walked through handing out coloring books that promoted train safety. This year, VRE made the event extra special by partnering with Warner Brothers to show the film the "Polar Express."

Because Norfolk Southern and CSX railroads waived the track access fees, tickets were an affordable \$3 per person. Lines for tickets formed early and sold out within hours. Supervisor Bulova said that her office served as a Santa Train "Box Office" and ran out of tickets on the first morning of sales. She added that participants are also given the opportunity to share their holiday spirit by donating a toy to the "Toys for Tots" program. VRE's collection from the event netted well over 1,000 toys and a dozen bicycles. Throughout the holiday season, VRE's whole collection, including onboard commuter donations, netted 2,100 toys and nearly \$9,000.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite members of the Santa Train "team" (Chief Operating Officer Dale Zehner, Wendy Lemieux, and April Maguigad, and others as appropriate), to appear before the Board to be thanked and recognized for this outstanding program. Without objection, it was so ordered.

48. **COUNTYWIDE COMMUNICATION INITIATIVE** (11:06 a.m.)

Supervisor Bulova stated that the County Executive has asked the Office of Public Affairs and the Cable Communications Division to guide the process of developing a Countywide communication strategy. The goal of this process is to create and maintain a unified look, feel, and message for all County communications. A coordinated approach to communicating with constituents will create a stronger identity for the County as well as develop public confidence that the County integrates its programs, services, and resources.

Supervisor Bulova said that some of the components of the strategy included aligning all communications with one of the County's vision elements, identifying all communications resources available to County agencies, creating a template to guide agencies with communication needs, creating a forum for agencies to discuss needs and communication tools available to them, developing creative technical applications to support County messages, and developing one-stop shopping for mail services, printing, and e-government applications.

Supervisor Bulova added that this important initiative would have a positive impact on the County's image and she has been informed that the Office of Public Affairs would welcome the participation of Board staff members with agency staff members who would be working on the project for the next six months. Debra Bianchi, Deputy Director of the Office of Public Affairs, has additional information.

49. **AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) (BRADDOCK DISTRICT)** (11:07 a.m.)

Supervisor Bulova reminded the Board that on September 2004, she presented a Board Matter on "Automated External Defibrillators in Schools" after meeting with a constituent, Sandy Canfield of Burke Centre. Mrs. Canfield's 15-year-old daughter died in January 2002 while preparing to train with her Robinson Secondary School crew teammates. Sudden cardiac arrest is the leading cause of death among adults in the United States, and of the 1,000 people who suffer sudden cardiac arrest each day, less than ten percent will survive.

Supervisor Bulova announced that she will be hosting a CPR/AED certification class for members of her staff and staff from the Kings Park Library to widen the pool of people in the County who are trained to give CPR and use the AEDs. The class will be held in her office on Wednesday, January 26, from 1 p.m. to 4 p.m. Anyone attending will be certified in CPR and qualified to use an AED. Supervisor Bulova invited her colleagues on the Board and/or their staff to participate.

50. **MARCH IS “INCLUDING PEOPLE WITH DEVELOPMENTAL DISABILITIES” MONTH** (11:07 a.m.)

Supervisor Bulova informed the Board that throughout the United States, March will be celebrated as “Including People with Developmental Disabilities Month.” In the County during the month of March, the Arc of Northern Virginia, in conjunction with People First, a self-advocacy group for people with developmental disabilities, and the Fairfax-Falls Church Community Services Board, will educate the public about the abilities and needs of people with developmental disabilities and their families.

Supervisor Bulova asked unanimous consent that the Board:

- Proclaim March as “Including People with Developmental Disabilities Month” in Fairfax County.
- Direct staff to invite the Arc and the Fairfax-Falls Church Community Services Board to appear before the Board on March 7, 2005, to accept this proclamation.

Without objection, it was so ordered.

PMH:pmh

51. **NO BOARD MATTERS FOR SUPERVISOR DUBOIS (DRANESVILLE DISTRICT)** (11:10 a.m.)

Supervisor DuBois announced that she had no Board Matters to present today.

52. **COMMERCE BANCORP, INCORPORATED (SULLY DISTRICT)** (11:10 a.m.)

Supervisor Frey said that Commerce Bancorp, Incorporated, filed a PCA/FDPA application for a vacant pad site in Centre Ridge. The request has the conceptual support of the Western Fairfax County Citizens Association and expects to receive a recommendation of approval from staff. The Planning Commission hearing is scheduled for January 26 and, for contractual reasons, the applicant has requested that the Board authorize concurrent processing for the site plan and the zoning applications.

The applicant understands that this motion does not relieve it of any obligation, ordinance, or standards, and will not prejudice the consideration of the application in any way.

Therefore, Supervisor Frey moved that the Board authorize concurrent processing of Proffered Condition Amendment Application PCA 91-Y-010 and Final Development Plan Amendment Application FDPA 91-Y-010-2 with its associated

site plan. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

53. **NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC) (SULLY DISTRICT)** (11:11 a.m.)

Supervisor Frey said that NOVEC has filed a 2232 public facilities application and a special exception application on .36 acres of property on Bull Run Post Office Road to permit an electric distribution substation to be co-located with a Dominion Cove Point Natural Gas Compression facility. Given the complexity of the variety of levels of regulations applicable to utility companies, there was some question as to which applications, if any, needed to be filed. After working extensively with staff, it was determined that the 2232 public facilities application and the special exception application would be required. The applicant has indicated that the facilities are needed immediately to provide a back up system of electricity and for security reasons. The applicant hopes that the facility will be in place prior to the increased demand for electricity which occurs each summer. Accordingly, the applicant has requested that the Board authorize expedited and concurrent processing of the applications so that the public hearings could occur as soon as possible.

Therefore, Supervisor Frey moved that the Board:

- Authorize expedited processing and date certain for the Board hearing to occur at the earliest possibility.
- Direct the Director of the Department of Public Works and Environmental Services to expeditiously and concurrently process the site plan for the facility in the event that it is determined that a site plan is required.

The applicant understands that this motion does not relieve it of any obligation, ordinance or standards, and will not prejudice the consideration of the application in any way. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

54. **FIRE IN THE LITTLE ROCKY RUN COMMUNITY (SPRINGFIELD DISTRICT)** (11:12 a.m.)

Supervisor Frey said that a Girl Scout selling cookies noticed smoke coming from a house and she alerted the Department of Fire and Rescue. He said that damage to the home was kept to a minimum due to her actions.

Therefore, Supervisor Frey asked unanimous consent that the board direct staff to invite the Girl Scout and her mother, in coordination with the Department of Fire and Rescue, to appear before the Board to be thanked and recognized for her efforts. Without objection, it was so ordered.

55. **INTENT TO DEFER PUBLIC HEARINGS (LEE DISTRICT)** (11:14 a.m.)

Supervisor Kauffmann announced his intent later in the meeting, at the appropriate time, to defer the following public hearings:

- Rezoning Application RZ 2003-LE-011
- Proffered Condition Amendment Application PCA 96-L-005-3
- Special Exception Amendment Application SEA 96-L-034

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Item CL#71.)

56. **SPECIAL PERMIT PROCESS TO BE ESTABLISHED TO PERMIT A WALL OR FENCE THAT IS AN INTEGRAL PART OF A PUBLIC RECREATION USE** (11:14 a.m.)

Supervisor Kauffman said that last year as a result of the Mixing Bowl project construction, the Park Authority lost some property adjacent to a new beltway entrance ramp. The property is a portion of what is known as Trailside Park and contains ballfields primarily used by the Central Springfield Little League. During this past season, witnesses reported a ball leaving the park and landing on the interstate ramp, presenting a serious safety hazard to motorists. As a result, the Park Authority decided it must close the park permanently until a solution could be found, thus ending the Little League season prematurely.

The Park Authority, in cooperation with the Risk Management Division, decided a 50-foot net would need to be installed to prevent balls from leaving the park. Last week the Park Authority learned from the Department of Planning and Zoning that it would need to seek a variance to allow this net to be constructed. The variance is needed only to allow the 50-foot height to be permitted. Given ongoing negotiations with the Board of Zoning Appeals, and the impending Little League season, staff said that an alternative to a variance for this net would have to be established.

Accordingly, Supervisor Kauffman moved, that as a part of the already approved for consideration second phase of the Zoning Ordinance revisions addressing special permits and variances, that a special permit process be established to permit a wall or fence (including netting) that is an integral part of a public recreation use, such as a ballfield, to be located in a yard and/or at a height which is not currently allowed. He further moved that this amendment be expedited to allow the park to open in time for this year's Little League season. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

57. **NO BOARD MATTERS TO PRESENT FOR SUPERVISOR McCONNELL (SPRINGFIELD DISTRICT)** (11:16 a.m.)

On behalf of Supervisor McConnell, Chairman Connolly announced that Supervisor McConnell had no Board Matters to present today.

58. **INTENT TO DEFER A PUBLIC HEARING (PROVIDENCE DISTRICT)** (11:17 a.m.)

Supervisor Smyth announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Amendment Application SEA 82-P-032-4.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#80.)

59. **RECESS/CLOSED SESSION** (11:17 a.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Board of Supervisors v. Parties Unknown, Being The Heirs At Law, If Any, of Francis Summers, et al.*, At Law No. 225349 (Fx. Co. Cir. Ct.) (Mason District)
 - 2. *William E. Shoup, Fairfax County Zoning Administrator v. Van N. Hoagland*, In Chancery No. 192450 (Fx. Co. Cir. Ct.) (Lee District)

3. *William E. Shoup, Fairfax County Zoning Administrator v. Jimmie K. Walker and Margie L. Walker*, In Chancery No. 182748 (Fx. Co. Cir. Ct.) (Lee District)
4. *William E. Shoup, Fairfax County Zoning Administrator v. Enrique Aparicio and Julia Aparicio*, In Chancery No. 187133 (Fx. Co. Cir. Ct.) (Mason District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Mark Wiseman*, In Chancery No. 193372 (Fx. Co. Cir. Ct.) (Springfield District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. George Drosos, Catherine Drosos, and Tony Drosos*, In Chancery No. 193481 (Fx. Co. Cir. Ct.) (Sully District)
7. *William E. Shoup, Fairfax County Zoning Administrator v. Robert T. Hancasky and Marianne L. Hancasky*, In Chancery No. 193498 (Fx. Co. Cir. Ct.) (Lee District)
8. *William E. Shoup, Fairfax County Zoning Administrator v. Josiah H. Hill and Evangeline Hill*, In Chancery No. 184232 (Fx. Co. Cir. Ct.) (Mason District)
9. *William E. Shoup, Fairfax County Zoning Administrator v. Young D. Kim and Hyai Y. Kim*, In Chancery No. 193525 (Fx. Co. Cir. Ct.) (Braddock District)
10. *William E. Shoup, Fairfax County Zoning Administrator v. Patricia Delisio and John Aidonis*, In Chancery No. 199371 (Fx. Co. Cir. Ct.) (Hunter Mill District)
11. *Joyce M. Williams v. County of Fairfax and Michael Young, Chief of Police*, U.S.D.C. Civil Action No. 95-1255-A (E.D. Va.)
12. *Gregory Stewart v. Department of Public Works and Environmental Services* (Fx. Co. Civil Service Commission)

13. *Board of Supervisors v. Donald Reiser and Irma B. Reiser*, At Law No. 227479 (Fx. Co. Cir. Ct.)
(Sully District)

And in addition:

- Board of Supervisors of Fairfax County, Virginia versus Wachovia Bank, At Law Number 213401
- Zoning Ordinance Provisions Pertaining to the Rail to Dulles Project
- Board of Zoning Appeals Appeal Application A 2004-MV-012
- Board of Supervisors Resolution Regarding the Indemnification and Representation of Officers and Employees
- *Arkansas Chronicle*, et al. versus R. Mark Easley, et al., Civil Action Number 1:04cv110

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

DET:det

At 12:45 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor McConnell, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

60. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (12:45 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being absent.

61. **AUTHORIZATION OF A PETITION TO BE FILED IN THE CIRCUIT COURT OF FAIRFAX COUNTY TO REVERSE THE DECISION OF THE COUNTY BOARD OF ZONING APPEALS (BZA) IN APPEAL APPLICATION A 2004-MV-012** (12:45 p.m.)

Supervisor Hyland moved that the Board authorize and direct the County Attorney to file a petition on behalf of the Board in the Circuit Court of Fairfax County seeking the reversal of the decision of the BZA of the County in Appeal Application A 2004-MV-012. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

62. **SETTLEMENT OFFER IN BOARD OF SUPERVISORS VERSUS WACHOVIA BANK** (12:46 p.m.)

Supervisor DuBois moved that the Board reject the settlement offer dated January 6, 2005, in the case of *Board of Supervisors versus Wachovia Bank*, At Law Number 213401, and make a counter-offer according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

63. **ZONING ORDINANCE AMENDMENT REGARDING RAIL FACILITIES** (12:46 p.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board direct staff to prepare a Zoning Ordinance amendment that would allow certain rail facilities, such as the tracks, traction power stations, stormwater management facilities, access easements, and temporary staging constructions yards, to be established as by right uses and no longer to require special exception approval for those types of rail facilities. Special exception approval would continue to be required for more intensive rail facilities, such as stations, bus bays, parking areas, and service and inspection yards. He further moved that the Board direct staff to have this proposed amendment ready for the Board's meeting on April 4, 2005, so the Board can authorize the advertisement of public hearings before the Planning Commission and the Board in May and June 2005, respectively. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

ADDITIONAL BOARD MATTER64. **NATIVE PLANT TRANSPLANTATION PROFFER** (12:47 p.m.)

(Earlier in the meeting, this issue was discussed, but no vote was taken on the pending motion. See Clerk's Summary Item CL#46.)

Supervisor Smyth moved that the Board vote on her earlier motion to distribute to the Department of Planning and Zoning and Fairfax County Urban Forestry a *Draft Standard Native Plant Transplantation Proffer* to assist with helping nonprofit environmental organizations gain access to development sites to facilitate the rescue and transplantation of native plants before the initiation of land disturbing activities. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

65. **RECESS** (12:48 p.m.)

The Board recessed the meeting until 3 p.m.

DMB:dmb

AGENDA ITEMS

At 3:18 p.m., the Board reconvened in the Board Auditorium, with all Members being present with the exception of Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Connolly, and with Vice-Chairman Bulova presiding.

66. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-DR-049-02 (HAMPSTEAD VILLAGE LLC) (DRANESVILLE DISTRICT)** (3:19 p.m.)

(NOTE: At its November 15, 2004, meeting the Board deferred the public hearing on this item until December 6, 2004. At its December 6, 2004, meeting the Board deferred the public hearing on this item until January 10, 2005.)

Supervisor DuBois moved, in reference to Proffered Condition Amendment Application/Final Development Plan Amendment 1998-DR-049-02, Hampstead Village LLC, that the Board waive its Policy regarding affidavits not received at least seven business days in advance of the scheduled public hearing and proceed with the public hearing. Supervisor Smyth seconded the motion and it **CARRIED** by a recorded vote of five, Supervisor Hudgins abstaining, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

The application property is located south of Dolley Madison Boulevard, west of Mayflower Drive, north of Chain Bridge Road, east of Great Falls Street, Tax Map 30-1 ((30)) 20-24.

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

Ms. Byrd had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Smyth disclosed the following campaign contribution which she had received:

- In excess of \$200 from Ms. Kathryn A. MacLane

Supervisor Frey disclosed the following campaign contributions which he had received:

- In excess of \$200 from Mr. Carson Lee Fifer, Jr.
- In excess of \$200 from West Group Properties LLC

Supervisor Bulova disclosed the following campaign contribution which she had received:

- In excess of \$200 from Ms. Kathryn A. MacLane

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor DuBois moved approval of Proffered Condition Amendment Application PCA 1998-DR-049-02, subject to the proffers dated August 19, 2004. Supervisor Smyth seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

On September 23, 2004, the Planning Commission approved Final Development Plan Amendment Application FDPA 1998-DR-049-02.

67. **3 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-015**
(NATIONAL CAPITAL LAND AND DEVELOPMENT,
INCORPORATED) (SULLY DISTRICT) (3:26 p.m.)

(NOTE: This public hearing was deferred until later in the meeting. See Clerk's Summary Item CL#82.)

68. **3:30 P.M. – PH ON AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AF 2004-SP-001 (MARK A KOSTERS) AND PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) (SPRINGFIELD DISTRICT) (3:30 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 23 and December 30, 2004.

The application property is located approximately 1200 feet west of Clifton Road at the west terminus of Fox Shadow Lane and north of Cedar Ridge Drive, Tax Map 75-1 ((8)) 6; 75-1 ((10)) 4A, 5A, and 6A.

Mr. Mark A. Kusters reaffirmed the validity of the affidavit for the record.

Mr. Kusters had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

On behalf of Supervisor McConnell, Supervisor Smyth moved:

- Approval of Agricultural Forestal Application AF 2004-SP-2001.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F (Local Agricultural and Forestal Districts), creating the Kusters Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 27, 2004.

Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Vice-Chairman Bulova voting “AYE,” Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

69. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-MV-019 (GBI CORPORATION) (MOUNT VERNON DISTRICT) (3:34 p.m.)**

(NOTE: This public hearing was deferred until later in the meeting. See Clerk's Summary Item CL#83.)

70. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-PR-018 (LANDMARK PROPERTY DEVELOPMENT, LLC) (PROVIDENCE DISTRICT)** (3:35 p.m.)

- (O) The application property is located on the east side of Sutton Road approximately 900 feet south of its intersection with Courthouse Road, Tax Map 48-1 ((1)) 80.

Supervisor Smyth moved, with reference to Rezoning Application 2004-PR-018, Landmark Property Development, LLC, that the Board waive its Policy regarding over inclusive affidavits and proceed with the public hearing. Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

Mr. John Thillmann reaffirmed the validity of the affidavit for the record.

Mr. Thillmann had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Hudgins disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Scott M. Herrick of Landmark Property Development, LLC

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Scott M. Herrick and Mr. John H. Thillmann

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Scott M. Herrick of Landmark Property Development, LLC

Supervisor Bulova disclosed the following campaign contribution which she had received:

- In excess of \$200 from Cherokee Management

Supervisor DuBois disclosed the following campaign contributions which she had received:

- In excess of \$200 from Cherokee Management
- In excess of \$200 from Mr. Richard Labbe

Following the public hearing, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-PR-018 from the R-1 District to the R-5 District, subject to the proffers dated November 16, 2004. Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Vice-Chairman Bulova, voting "AYE," Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

Supervisor Smyth moved:

- Waiver of the minimum district size requirement of four acres.
- Modification of the transitional screening requirement to the north, west, and southeast in favor of that shown on the Generalized Development Plan (GDP).
- Modification of the barrier requirement to the north and west in favor of that shown on the GDP.
- Waiver of the barrier requirement to the southeast.

Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

71. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2003-LE-011, PROFFERED CONDITION AMENDMENT APPLICATION PCA 96-L-005-3, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-L-034-3 (FOUNDATION FOR APPLIED TECHNICAL EDUCATION) (LEE DISTRICT) (3:42 p.m.)**

Supervisor Kauffman moved to defer the public hearing on Rezoning Application RZ 2003-LE-011, Proffered Condition Amendment Application PCA 96-L-005-3, and Special Exception Amendment Application SEA 96-L-034-3, until **January 24, 2005, at 3 p.m.** Supervisor DuBois seconded the motion and it

carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

72. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-L-070 AND SPECIAL EXCEPTION APPLICATION SE 2004-MV-020 (COMMONWEALTH CONSTRUCTION MANAGEMENT, INCORPORATED) (MOUNT VERNON DISTRICT)** (3:43 p.m.)

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#84.)

73. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-SU-023 (ROSENAL BETCHAR D/B/A HAPPYFACES DAYCARE) (SULLY DISTRICT)** (3:43 p.m.)

The application property is located at 13923 Braddock Road, Tax Map 54-4 ((1)) 48.

Mr. Rosenlal Betchar reaffirmed the validity of the affidavit for the record.

Mr. Betchar had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 2004-SU-023, subject to the development conditions dated December 15, 2004. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

74. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-SU-021 (CHEVY CHASE BANK) (SULLY DISTRICT)** (3:47 p.m.)

The application property is located at 14001 Lee Jackson Memorial Highway, Tax Map 34-4 ((1)) 43.

Mr. Robert F. Flinn reaffirmed the validity of the affidavit for the record.

Mr. Flinn had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Aaron Shriber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 2004-SU-021, subject to the development conditions dated December 23, 2004. Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

Supervisor Frey moved waiver of the service drive requirement and of the loading space requirement. Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

75. **3:30 P.M. – DECISION ONLY ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S01-CW-9CP REGARDING UPDATES TO THE POLICE SECTION OF THE PUBLIC SAFETY COMPONENT OF THE POLICY PLAN** (3:55 p.m.)

(NOTE: Decision on this item was deferred until later in the meeting. See Clerk's Summary Item CL#85.)

76. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-LP1, LOCATED EAST OF CRANFORD STREET/GUNSTON COVE ROAD INTERSECTION (MOUNT VERNON DISTRICT)** (3:55 p.m.)

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#86.)

77. **BOARD RECESS** (3:55 p.m.)

At 3:55 p.m., the Board recessed briefly, and, at 4:01 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Connolly, and with Vice-Chairman Bulova presiding.

78. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON SEGMENTS OF OLD MILL ROAD (SULLY DISTRICT)** (4:01 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 23 and December 30, 2004.

Donald Stephens, Transportation Planner, Site Analysis Section, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of:

- Ordinance vacating segments of Old Mill Road.
- Order abandoning segments of Old Mill Road.

Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Vice-Chairman Bulova voting “AYE,” Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

79. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)** (4:04 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 23 and December 30, 2004.

Hamid Majdi, Transportation Planner, Traffic Operations Section, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Annandale RPPD, District 14. The proposed district expansion includes Heritage Drive (Route 2630) west side from Rectory Lane to Four Year Run. Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Vice-Chairman Bulova voting “AYE,” Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

80. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-P-032-4 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (PROVIDENCE DISTRICT)** (4:07 p.m.)

Supervisor Smyth moved to defer the public hearing on Special Exception Amendment Application SEA 82-P-032-4, until **February 28, 2005, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, and Chairman Connolly being out of the room, Supervisor McConnell being absent.

81. **BOARD RECESS** (4:09 p.m.)

At 4:09 p.m., the Board recessed briefly, and, at 4:18 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor McConnell, and with Chairman Connolly presiding

82. **3 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-015
(NATIONAL CAPITAL LAND AND DEVELOPMENT,
INCORPORATED) (SULLY DISTRICT)** (4:19 p.m.)

(O) (NOTE: At its December 6, 2004, meeting the Board deferred the public hearing on this item until January 10, 2005.)

The application property is located in the northeast quadrant of the intersection of Centreville Road and Lowe Street, Tax Map 34-2 ((1)) 18; 34-4 ((1)) 4-6; 34-4 ((2)) 1-12; 34-4 ((3)) 1-4 and 6-12 and portions of Armfield Street, Lowe Street, and Louise Avenue public rights-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for portions of Armfield Street, Lowe Street, and Louise Avenue to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.)

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

Mr. Stearns had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Smyth disclosed that her husband, Nigel Smyth, has an attorney/client relationship with one of the property owners in this consolidation and, therefore, recused herself from any discussion or decision on the application.

Chairman Connolly disclosed the following campaign contributions which he had received:

- In excess of \$100 from Mr. F. Gary Garczynski
- In excess of \$100 from Mr. Frank W. Stearns
- In excess of \$100 from Mr. John G. Milliken
- In excess of \$100 from Mr. John D. Long
- In excess of \$100 from Mr. James A. Overson

Following the public hearing, which included testimony by four speakers, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-SU-015, from the R-1, HD, and WS Districts to the PDH-5, HD, and WS Districts, subject to the proffers dated December 8, 2004. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Connolly voting "AYE," Supervisor Smyth being out of the room, and Supervisor McConnell being absent.

Supervisor Frey moved waiver of the 600-foot maximum length requirement for private streets. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Smyth being out of the room, Supervisor McConnell being absent.

On November 17, 2004, the Planning Commission approved Final Development Plan Application FDP 2004-SU-015, subject to the development conditions dated November 16, 2004.

83. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-MV-019 (GBI CORPORATION) (MOUNT VERNON DISTRICT)** (4:34 p.m.)

- (O) The application property is located in the northwest quadrant of Sydenstricker Road and the Fairfax County Parkway, Tax Map 89-3 ((1)) 20 and 21A.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Kristen Crookshanks, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-MV-019 from the R-1 District to the R-3 District, subject to the proffers dated January 3, 2005. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey being out of the room, Supervisor McConnell being absent.

84. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-L-070 AND SPECIAL EXCEPTION APPLICATION SE 2004-MV-020 (COMMONWEALTH CONSTRUCTION MANAGEMENT, INCORPORATED) (MOUNT VERNON DISTRICT)**

(4:37 p.m.)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 80-L-070 and Special Exception Application SE 2004-MV-020 until **January 24, 2005, at 4 p.m.** Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell being absent.

85. **3:30 P.M. – DECISION ONLY ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S01-CW-9CP REGARDING UPDATES TO THE POLICE SECTION OF THE PUBLIC SAFETY COMPONENT OF THE POLICY PLAN** (4:38 p.m.)

(NOTE: At its December 6, 2004, meeting the Board held a public hearing on this item and deferred decision until January 10, 2005.)

Supervisor Bulova moved approval of Out-of-Turn Plan Amendment S01-CW-9CP. Supervisor Hudgins seconded the motion.

Discussion ensued with input from David B. Marshall, Chief, Public Facilities Planning Branch, Planning Division, Department of Planning and Zoning, regarding the location of a vehicle storage center facility.

Additional discussion ensued with input from Lieutenant Wayne Inabinet, Technical Services Bureau, Police Department, regarding the location of a helicopter facility.

Following discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a report regarding discussion with the Army on the possibility of locating the County helicopter at Davidson Air Field. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor McConnell being absent.

86. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-LP1, LOCATED EAST OF CRANFORD STREET/GUNSTON COVE ROAD INTERSECTION (MOUNT VERNON DISTRICT)**
(4:41 p.m.)

Supervisor Hyland moved to defer the public hearing on Out-Of-Turn Plan Amendment S04-IV-LP1 until **January 24, 2005, at 4 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being absent.

87. **BOARD ADJOURNMENT** (4:42 p.m.)

At 4:42 p.m., the Board adjourned.

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